

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-mj-00349 (JFD)

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEALED BY ORDER OF THE
COURT

1. LEON KISMIT BELL
2. JACK MITCHELL PICHE

Defendants.

AFFIDAVIT OF MITCHELL A. MABRY

I, Mitchell A. Mabry, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed since October 27, 2019. Prior to the FBI, I worked as a Police Officer for the city of Glendale in Arizona from May 2014 until October 2019 when I joined the FBI. I am currently assigned to a squad where I investigate violent crimes including carjackings, gangs, firearms, and related offenses detailed in Titles 18 of the United States Code. I have participated in a wide variety of investigations to include the use of cooperating informants, conducting interviews, collecting and processing physical and digital evidence, and preparing evidence for trial. Based on my training, experience, and conversations with other law enforcement investigators, I am familiar with violent

criminal activity, criminal organizations, firearm/drug conspiracies, and the operation of organized criminal groups, such as street gangs.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint and arrest warrant for LEON KISMIT BELL and JACK MITCHELL PICHE for the crimes of aiding and abetting carjacking in violation of 18 U.S.C. Sections 2 and 2119(1).

3. This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports, written materials, and audio and video recordings. This affidavit does not include all of the details I have learned regarding this investigation. Rather, it only includes information believed to be sufficient to establish probable cause.

PROBABLE CAUSE

4. On February 16, 2022, a 67-year-old woman with the initials B.J. arrived at the parking lot of the Granite City restaurant, located in the Rosedale Center Mall in Roseville, Minnesota. B.J. was driving her car, a white Acura RDX, bearing Minnesota license plate AFR075, and vehicle identification number 5J8TB3H36JL003073.

5. LEON KISMIT BELL and JACK MITCHELL PICHE were already in the mall parking lot when B.J. arrived in her car. Surveillance video from the mall's parking lot shows BELL and PICHE walking around the parking lot and following B.J.'s car, waiting for her to park.

6. When B.J. parked her car, surveillance video shows BELL and PICHE walk up to the car. B.J. was outside the driver's side door of her car, which was parked next to another car, creating a narrow corridor. BELL walked up in front, with PICHE behind him.

7. BELL demanded, "where are your keys." B.J. responded "The key is in my purse." BELL opened his jacket and flashed a gun in his waistband. BELL told B.J. that if she gave him her purse, she could walk away. BELL then took B.J.'s purse, which contained her car keys, cell phone, and wallet. B.J. later stated that was fearful that BELL would shoot her if she did not give him her purse with the car keys.

8. After BELL took her purse, B.J. then ran away from her car and into a restaurant attached to the mall, where an individual called 911 and reported the incident.

9. When B.J. ran from her car, BELL initially ran after her. Then BELL and PICHE both fled from the car. Approximately twenty seconds later, BELL returned to the car and got in the driver's seat of the car. He drove to and picked up PICHE, who was several rows away in the parking lot. BELL and PICHE then drove out of the parking lot.

10. Officers of the Roseville Police Department responded to the scene. They attempted to track and locate the car. Officers observed what they believed to be the car heading south on I-35W. According to officers, the car was driving erratically, passing cars on the shoulder, and veering in and out of traffic. Due to concerns with their ability to safely follow the car, officers stopped their pursuit.

11. Officers were later able to review surveillance video from the mall parking lot. That video depicted individuals, later identified as BELL and PICHE, arriving at the mall parking lot on a Metro Transit bus.

12. Officers then obtained surveillance footage from the bus and the nearby bus stop. That video showed BELL and PICHE getting on the bus, getting off the bus, and walking through the mall parking lot.

13. Based on that video footage, along with surveillance video from other local businesses, officers were able to track BELL and PICHE back to the Key Inn Hotel, approximately one mile away from the Rosedale Center Mall.

14. Officers obtained surveillance footage from the Key Inn Hotel. That video footage showed BELL and PICHE at the hotel prior to the carjacking wearing clothing consistent with the surveillance video of the carjacking. BELL's clothing was also consistent with B.J.'s description of the carjacker wielding the firearm.

15. Law enforcement officers were able to identify PICHE based on the photo identification he provided the hotel to rent the room. Officers then obtained a search warrant to locate PICHE's phone based on the phone number the PICHE provided on the room rental paperwork.


16. About two weeks later, law enforcement located PICHE in south Minneapolis. Officers took PICHE into custody. Officers also found B.J.'s car a few blocks away from where PICHE was taken into custody.

17. Officers took a statement from PICHE. PICHE admitted that he agreed to participate in the carjacking.


18. I know from my training and experience that the white Acura RDX, bearing Minnesota license plate AFR075, and vehicle identification number 5J8TB3H36JL003073, taken by force from B.J. was not manufactured in the State of Minnesota. It therefore had to have been shipped in interstate commerce prior to being in the State of Minnesota on February 16, 2022.

CONCLUSION

19. Based on the above facts, there is probable cause to believe that on February 16, 2022, BELL and PICHE, aiding and abetting each other, knowingly and unlawfully took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce, from the person and presence of another, by force and violence and by intimidation, with the intent to cause serious bodily harm, all in violation of Title 18, United States Code, Sections 2 and 2119(1). Further your Affiant sayeth not.


Mitchell A. Mabry, Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me
by reliable electronic means via Zoom,
FaceTime and email pursuant to Fed. R.
Crim. P. 41(d)(3) on April _____, 2022.


The Honorable John F. Docherty
United States Magistrate Judge